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Patent Docket No. 2960/116 (previously 6700-0005.21)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Berez et al.

Application No.: 10/724,010

Filed: 11/25/2003

Customer No.: 02101

Group No.: 3732

Examiner: Philogene, P

Conf. No.: 7525

For: Patient Selectable Joint Arthroplasty Devices and Surgical Tools Facilitating Increased Accuracy, Speed and Simplicity in Performing Total and Partial Joint Arthroplasty

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNINTENTIONALLY UNDER
37 C.F.R. § 1.137(b)

1. This application became abandoned on March 17, 2006.
2. This application became abandoned because the failure to prosecute was an unintentional delay. The entire delay in filing the required reply from the due date until the filing of this petition was unintentional (37 C.F.R. § 1.137(b)(3)).
3. Response or action required is attached.
4. Fee (37 C.F.R. § 1.17(m))

Application status is a small entity—fee \$750.00.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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[X] deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

[X] with sufficient postage as first class mail.

37 C.F.R. § 1.10*

[] as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

Signature

Date: June 16, 2006

Alexander J. Smolenski, Jr.
(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

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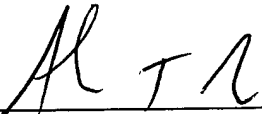
5. Payment of fee:

Please charge the petition fee of \$750.00 to Deposit Account No. 19-4972.

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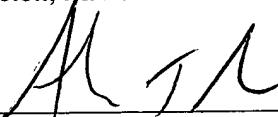
Date: June 16, 2006



**Signature of person making statement that
abandonment was due to unintentional delay**

Alexander J. Smolenski, Jr.
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Date: June 16, 2006



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